

## HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**(Only for new nonprovisional applications under  
37 C.F.R. 1.53(b))

Attorney Docket No.

1932.1004-074

First Named Inventor or  
Application Identifier

Stephen Randall Holmes-Farley

Express Mail Label No.

EL 955640820 US

Title of  
Invention

PHOSPHATE-BINDING POLYMERS FOR ORAL ADMINISTRATION

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification **Total Pages [37]**  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) **Total Sheets [3]**  
☐ Fig. of the Drawings for Publication ☐  
☒ No Figure to be Published
4. ☒ Oath or Declaration **Total Pages [3]**
- a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))  
(for continuation/divisional with Box 17 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior  
application, see 37 C.F.R. 1.63(d)(2)  
and 1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

6. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form
  - b. ☐ Paper Copy (identical to computer copy)  
☐ Pages
  - c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

7. ☐ Assignment Papers (cover sheet & documents)  
☒ Assignee - Genzyme Corporation  
Cambridge, MA
8. ☐ Power of Attorney ☐ 37 C.F.R. 3.73(b) Statement
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard
13. ☐ Small Entity Statement(s)
- 14a. ☐ Foreign Priority Claim under 35 U.S.C. §119 or 365
- 14b. ☐ Certified Copy of Priority Document(s)
15. ☐ Nonpublication Request (check parent application)
16. ☒ Other Remarks Letter/Change of Correspondence Address  
& Petition for Extension of Time for U.S. Application  
10/322,904

17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/322,904

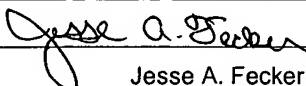
Prior application information: Examiner: James M. Spear

Group Art Unit: 1615

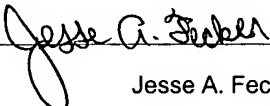
The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.  
(Add standard Related Applications section with incorporation by reference to specification or update same)

**18. CORRESPONDENCE ADDRESS**

NAME	Customer No. 021005				
	HAMILTON, BROOK, SMITH & REYNOLDS, P.C.				
ADDRESS	530 Virginia Road, P.O. Box 9133				
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Signature		Date	1-28-04
Submitted by Typed or Printed Name	Jesse A. Fecker	Reg. Number	52,883

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>FEE TRANSMITTAL FOR PATENT APPLICATIONS</b>		Attorney Docket Number		1932.1004-074	
		Application Number		Continuation of 10/322,904	
		First Named Inventor		Stephen Randall Holmes-Farley	
CLAIM CALCULATION (includes any preliminary amendment)					
CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS <small>(37 CFR 1.16(c) or (j))</small>	15    - 20* =	0	x   \$ 18 =	\$       0
	INDEPENDENT CLAIMS <small>(37 CFR 1.16(b) or (i))</small>	2    - 3** =	0	x   \$ 86 =	\$       0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 290 =	\$
				BASIC FEE <small>(37 CFR 1.16(a) or (h))</small>	\$       770
				Total of above Calculations =	\$       770
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
	TOTAL =				\$       770
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$
	Assignment Recordation Fee = <small>(only when filed with application)</small>				\$
	[Other]				\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent				TOTAL = \$       770
<p>1. Small entity status:</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> A small entity statement is enclosed.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> Is no longer claimed.</p> <p>2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.</p> <p>3. <input checked="" type="checkbox"/> A check is enclosed for \$770. <span style="margin-left: 100px;"><input type="checkbox"/> Please charge \$[    ] to Deposit Account No. 08-0380.</span></p> <p>4. <input type="checkbox"/> Other: _____</p>					
Signature				Date	1-25-04
Submitted by Typed or Printed Name		Jesse A. Fecker		Reg. Number	52,883

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephen Randall Holmes-Farley, W. Harry Mandeville, III and George M. Whitesides

Continuation Application of

Application No.: 10/322,904

Filed: December 17, 2002

For: Phosphate-Binding Polymers for Oral Administration

Date: <u>1/28/04</u>
EXPRESS MAIL LABEL NO. <u>EL 955640820 US</u>

REMARKS/CHANGE OF CORRESPONDENCE ADDRESS

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Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

The above-captioned application is a continuation of application number 10/322,904 filed on December 17, 2002 to which priority is claimed under 35 U.S.C. §120.

Applicants are submitting under separate cover an extension of time fee in the parent application, to maintain co-pendency between the parent application and the instant continuation application.

The specification of the present application is substantially the same as that of the parent application. The related applications paragraph has been revised to include a specific reference to the parent application. No new matter has been added.

All of the claims from the parent application have been omitted. A new claim set is being presented herein for examination. Support for Claims 1, 4, 6, 10, 13 and 15 can be found, for example, at page 4, line 11 through page 5, line 18. Support for Claims 2 and 11 can be found at page 9, line 13 and in the Examples at page 16, line 1 through page 17, line 2. Support for Claims 3 and 12 can be found at page 8, line 24 through page 9, line 2. Support for Claims 5 and 14 can be found at page 9, line 20. Support for Claims 7-9 can be found at page 33, lines 13-26.

Pursuant to 37 C.F.R. 1.63(d)(4), please note that a Notice of Change of Correspondence Address was submitted in parent Application No. 09/542,329. Please send all correspondence in the above-identified continuation application to: Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to **Steven G. Davis, Esq.** at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

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Dated: 1-28-04